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| | 5. 42 U.S.C. 5101 et seq. | |

PROGRAM INSTRUCTION

TO: The State Office, Agency, or Organization Designated by the Governor to Apply for a Children's Justice Act (CJA) Grant

SUBJECT: Availability of Fiscal Year (FY) 2018 Children's Justice Act Grants to States Under the Child Abuse Prevention and Treatment Act (CAPTA)

LEGAL

REFERENCES: Section 107(a), (b), (c), (d), (e) and (f) of the Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C. 5106c et seq.) as amended by Public Law (P.L.) 111-320 enacted December 20, 2010; and the Victims of Crime Act of 1984, as amended (42 U.S.C. 10603 et seq.).

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PART I: BACKGROUND INFORMATION

SUMMARY: Section 107(a) of the Child Abuse Prevention and Treatment Act (P.L. 111-320) (the Act) authorizes grants to States for the purpose of assisting States in developing, establishing and operating programs designed to improve: (1) the assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner that limits additional trauma to the child and the child's family; (2) the assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities; (3) the investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and (4) the assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse or neglect.

The term "State" as used in Section 3 (7) of the Act includes each of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands. In FY 2018, 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands were deemed eligible for grants from funds deposited in the Crime Victims Fund, for a total of \$17,000,000.

Since the Virgin Islands, Guam, American Samoa and the Northern Mariana Islands may submit consolidated grant applications in accordance with 45 CFR Part 97, these jurisdictions need not submit an application under this Program Instruction (PI) if they choose to have their allotments included in a consolidated grant and to expend these funds under the authority of another program that is available for consolidation.

PURPOSE: The purpose of this PI is to set forth the eligibility requirements and the grant application procedures for FY 2018 Children's Justice Act (CJA) grants and to provide the tentative State allocation table.

INFORMATION:

Annual Reporting Requirements

Financial Reporting

Federal funds awarded through these grants must be expended for the purposes for which they were awarded and within the time period allotted, in accordance with the deadlines discussed below.

1. Funding (Project) Period/Obligation Deadline (10/01/2017 – 09/30/2020). The grantee must submit an annual Financial Status Report, using Standard Form 425 (Form SF-425), within 90 days of the end of each 12 months of the three-year obligation/liquidation period.
2. Liquidation Deadline (12/29/2020). All obligated Federal funds awarded under this grant must be liquidated no later than 90 days after the end of the funding/obligation period (i.e., December 29 following the end of Federal Fiscal Year 3). Any Federal funds from this award not liquidated by this date will be recouped by this Department.
3. Federal Financial Reporting System. Form SF-425, “Federal Financial Report.” Beginning with the FY 2016 grant awards, the HHS payment management system of separate online reporting will be consolidated into a single reporting system. Starting with these awards, both the cash transactions (Lines 10 a, b and c) and the expenditures, obligations and liquidations (Lines 10d through 10o) will be reported through the grantee online accounts with the Payment Management System (PMS). This information will no longer be reported separately using OLDC or GrantSolutions.

Please note the following important conditions:

- This pilot project is effective ONLY for FY 2016 financial reports. Any remaining reports still required, or revised, for FYs 2015, 2014 or earlier must continue to be submitted through OLDC or GrantSolutions.

SF-425 reports will continue to be due as frequently as is required in the award terms and conditions. Reports will be due on one of the standard dates by which cash reporting is required to be submitted to PMS or at the end of a calendar quarter as determined by ACF (January 30th, April 30th, July 30th, and October 30th). Every grantee should already have a PMS account to allow access to complete Form SF-425. If your office needs additional user access, please contact your PMS Liaison Accountant. Questions related to fiscal reporting and other administrative requirements should be directed to the assigned Grants Management Specialist identified in your Notice of Award.

4. Submission Schedule: Annual. Each annual report must be submitted no later than December 29 - 90 days following the end of each Federal Fiscal Year.
 - (a) An Interim report(s) is due within 90 days following the end of each Federal Fiscal Year during the project period;
 - (b) A Final report (cumulative, covering the entire 3-year project period 10/01/2017 – 09/30/2020) is due concurrent with the last day of the respective liquidation periods.

Program Performance Reports

Program Performance Reports are required once a year as part of the grant application. (See instructions under Part C, PROGRAM DESCRIPTION INSTRUCTIONS on pages 18-20.)

Three-year Assessment Requirement

Section 107(d) of the Act requires the State Task Force (see State Task Force requirements on page15) to undertake a comprehensive review and evaluation of the investigative, administrative and judicial handling of cases of child abuse and neglect and to make training and policy recommendations in each of the three categories in Section 107(e)(1) (A), (B) and (C). The State Task Force assessment (review, evaluation and recommendations) is required for an initial application and at three-year intervals thereafter.

The assessment must include a report clearly outlining the *review, evaluation, and recommendations* in all the areas required in Section 107(e)(1)(A), (B) and (C). See required areas on page 8.

The report must detail the process used by the State to conduct and complete the Three-year Assessment. The review and evaluation should build on prior assessments and note system improvements related to prior work. The review must outline proposed policy and training recommendations.

Additional information: The report may also include any other relevant comments and recommendations. States may identify numerous training and policy recommendations and choose to prioritize certain recommendations to be supported by CJA funding.

States which completed the three-year assessment requirement and received funding **in FY 2015** must **include in their FY 2018 application** documentation that the State Task Force complied with the requirement for a State Task Force study at three-year intervals. Those States are:

| | | | |
|----------------------|-----------------------|--------------------|--------------------|
| Alabama | Arizona | Arkansas | Connecticut |
| Colorado | Delaware | Florida | Georgia |
| Hawaii | Idaho | Illinois | Iowa |
| Kansas | Kentucky | Louisiana | Maryland |
| Massachusetts | Minnesota | Mississippi | Montana |
| Nevada | New Hampshire | New Jersey | New Mexico |
| New York | North Carolina | Ohio | Oklahoma |

Oregon
South Dakota
Vermont

Puerto Rico
Tennessee
Washington

Rhode Island
Texas

South Carolina
Utah

Grant Administration Regulations

The regulations which apply to the administration of these grants are contained in 45 CFR Part 75, "UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR HHS AWARDS," (see website link on page 22 for a copy of 45 CFR Part 75 regulations).

EXPENDITURE OF FUNDS:

States are encouraged to obligate (establish binding contracts and sign them) CJA Federal funds in one year but are required to obligate and liquidate (spend) CJA funds no later than two years after the end of the fiscal year in which the funds are awarded. Grantees have until December 29, 2020 to liquidate FY 2018 CJA funds. This December 29, 2020 deadline is to assist grantees in paying invoices for services completed, but invoiced by end of the year (September 30, 2020). A negative grant award will be issued for any unobligated or unliquidated balances reported as of December 29, 2020, and returned to the Treasury.

States must obligate all FY 2018 CJA funds by September 30, 2020. States must liquidate all FY 2018 CJA funds by December 29, 2020.

States must obligate all FY 2017 CJA funds by September 30, 2019. States must liquidate all FY 2017 CJA funds by December 29, 2019.

States must obligate all FY 2016 CJA funds by September 30, 2018. States must liquidate all FY 2016 CJA funds by December 29, 2018.

No-cost extension requests will not be approved except in the event of a natural occurrence of destruction or distress. These circumstances are defined in 45 CFR § 95.22. (See Appendix).

Those States requesting an extension due to a natural occurrence of destruction or distress are to provide a written request, explaining the amount of money that remains to be liquidated and the circumstances for such an extension to: Jerry Milner, Acting Commissioner, Administration on Children, Youth, and Families, **Attn: Children's Bureau, Administration on Children, Youth and Families, Mary E. Switzer Building, 330 C Street, SW, 3rd Floor, Washington, D.C. 20201,** no later than **November 1, 2018.**

Note: The Office of Grants Management is pleased to work with grantees needing guidance in the obligation and liquidation of funds according to the terms and conditions of their grant award.

AVAILABILITY AND ALLOCATION OF FUNDS:

Funding for the CJA program is available from the Crime Victims Fund. Legislation requires in any fiscal year that funds be made available to the Department of Health and Human Services for CJA grants to the States, except that 15 percent will be reserved by the Attorney General for CJA grants to Native American Tribes. With the enactment of the Child Abuse Prevention and Enforcement Act (CAPE) in March 2000, the amount transferred to ACF is capped at \$17,000,000. The total funding available for the CJA grants is \$17,000,000.

Funds will be allocated to States based on a formula similar to that used in distributing the CAPTA State grants, i.e., a base amount of \$50,000 will be awarded to each State; an additional amount will be awarded bearing the same ratio to the total funds remaining as the number of children under the age of 18 in each State bears to the total number of children under 18 in all the States.

The tentative FY 2018 allocation for each State is shown in Attachment 1 on pages 23-24.

Excess Funds

Any excess funds resulting from States not meeting the eligibility requirements will be awarded to eligible States on a pro rata share basis. When a State receives more than their tentative allocation, **supplemental information to explain the State's use of these additional funds should be submitted in the form of a letter to Jerry Milner, Acting Commissioner, Administration on Children, Youth and Families (ACYF), Mary E. Switzer Building, 330 C Street, SW, 3rd Floor, Washington, D.C. 20201 no later than November 29, 2018.**

The use of excess funds must conform to the guidelines contained in this PI.

FUNDING PROJECTS AND ACTIVITIES:

In accordance with Section 107(a) of CAPTA, grants awarded are to be used to develop, establish and operate programs designed to improve:

1. the assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner that limits additional trauma to the child and the child's family;
2. the assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;
3. the investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and
4. the assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse or neglect.

Required Categories/Areas for Use of CJA Funds

In particular grant funds should be used to implement State Task Force recommendations in the following three categories (the three categories from Section 107(e)(1)(A) (B) and (C)) of the Act:

- A. investigative, administrative, and judicial handling of cases of child abuse and neglect, including child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as interstate, Federal-State, and State-Tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused;
- B. experimental, model, and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused; and
- C. reform of State laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, including sexual abuse and exploitation, while ensuring fairness to all affected persons.

CJA funds should be used for programs to reform State systems and improve the processes by which States respond to cases of child abuse and neglect, including

child sexual abuse and exploitation and cases of suspected child abuse- or neglect - related fatalities. This will enable States to more effectively address both the child victim and the offender and to limit additional trauma to the child victim.

The on-going activities of a State Task Force in monitoring implementation of its recommendations and continuing interagency collaboration in carrying out the intent of the Act may be supported with these funds.

Supporting child abuse prevention programs or treatment services is not an appropriate use of CJA funds.

CJA funds are to be primarily focused on the front-end, intake, assessment, investigative, and prosecutorial phases of child welfare. Projects selected by State Task Force should be mindful that funds must be spent to support efforts at this point in a child welfare case.

Examples of CJA-supported activities include, but are not limited to:

- Developing curricula and conducting training for personnel in law enforcement and child protective services, as well as health and mental health professionals, prosecutors and judges. This may include attention to issues of trafficking and exploitation within child welfare.
- Establishing or enhancing child advocacy centers and other multidisciplinary programs to serve child victims and their families in order to minimize trauma.
- Establishing and supporting local and/or State child fatality review teams, including multidisciplinary training, team development, and annual reporting.
- Supporting the enactment of laws to improve system response, including allowing the admission of indirect testimony of children into evidence, making the courtroom setting less intimidating to children, increasing the penalties for sexual offenses against children, requiring mandatory sentencing, shortening the trial process and permitting victims to make statements prior to sentencing.

Linkage to Anti-Trafficking Efforts

In recent years, the Federal government has increased its attention on the issue of Human Trafficking. The Children's Bureau, along with the Administration on Children, Youth and Families (ACYF), continues to focus efforts at the intersection

of trafficking and child welfare. Specifically, the Children's Bureau has developed resources and guidance for states in implementing new mandates under Public Law (P.L.) 113-183: The Preventing Sex Trafficking and Strengthening Families Act. Among the mandates included in this legislation are: (1) the addition as a CAPTA state plan requirement the reporting to law enforcement authorities of instances of sex trafficking; (2) the addition as a CAPTA state plan requirement the locating of and responding to children who have run away from foster care; and (3) the inclusion of sex trafficking data in the Adoption and Foster Care Analysis and Reporting System (AFCARS). Additionally, the Children's Bureau provides guidance on the implementation of P.L. 114-22: The Justice for Victims of Trafficking Act, which includes mandates for states to: (1) include in their CAPTA state plan procedures to identify and assess all known or suspected victims of trafficking and to train child protective services workers on identifying, assessing, and providing services to victims of trafficking; (2) collect and report on the number of children who are victims of sex trafficking as a part of the National Child Abuse and Neglect Data System (NCANDS); and (3) consider any child identified as a victim of sex trafficking or severe forms of trafficking as a victim of child abuse and sexual abuse. For additional information on these pieces of legislation, please visit:
<https://www.childwelfare.gov/topics/systemwide/trafficking/pir/federal/>.

In 2014, nine discretionary grant awards were made to projects focused on addressing trafficking within the child welfare population (information available at <https://www.childwelfare.gov/topics/systemwide/trafficking/acyf-strategy/cb-efforts/grants/cohort1/>). In the funding announcement for these grants was mention of collaboration and coordination with CJA work and State Task Forces. The Children's Bureau is committed to supporting the work of States to address trafficking and exploitation.

The Children's Justice Act specifically mentions the issue of exploitation in Section 107 of CAPTA, and a number of CJA State Task Forces have directed CJA funds to projects that address exploitation and trafficking. CJA projects responding to trafficking must be focused on systems improvement in response to cases of child maltreatment. Examples of appropriate use of CJA funds in this area include, but are not limited to: trainings for first responders on identifying trafficked or exploited children, training/collaborative efforts between child protective services and law enforcement, and/or development of procedures or a resource (tool kit) for professionals to address trafficking or exploitation. Other areas might focus on policies and procedures to promote successful prosecution of the traffickers/exploiters and ways to reduce child victim trauma.

Linkage to the Child and Family Services Review and Continuous Quality Improvement Work

The Children's Bureau is placing increased focus on the alignment of formula grants, such as CJA, with the work of the Child and Family Services Reviews (CFSRs). The CFSR is the process the Children's Bureau uses to conduct periodic reviews of state child welfare systems. CJA programs should be aware of, and identify opportunities to coordinate and collaborate with, State work as it engages in this process.

Reporting related to the CFSR

Child and Family Services Plan

States are required to develop a Child and Family Services Plan (CFSP), a five-year strategic plan that sets forth the vision and the goals to be accomplished to strengthen the States' overall child welfare system.

The CFSP was due on June 30, 2014 for fiscal years 2015 - 2019. A primary purpose of the CFSP is to facilitate States' integration of the programs that serve children and families, including title IV-B, subparts 1 and 2 of the Social Security Act (SSA), and the Chafee Foster Care Independence Program (CFCIP) and Education and Training Vouchers (ETV) programs (section 477 of the SSA) for older and/or young adults formerly in foster care, into a continuum of services for children and their families. The CFSP consolidates plans for these programs to help States comprehensively integrate the full array of child welfare services, from prevention and protection through permanency (45 CFR 1357.15(a)). States are required to make these plans available to the public and many of them are located online. In addition, while states are no longer required to submit a new plan for the Child Abuse Prevention and Treatment Act (CAPTA) state grant program every five years, they are required to submit an annual update on their use of CAPTA State grant funds each year and to submit other updates to the CAPTA plan, as needed. These CAPTA plan reports and updates are submitted with the CFSP and Annual Progress and Services Reports each year.

Annual Progress and Services Report (APSR)

Each year on June 30, States are required to submit an APSR, which provides an annual update on the progress made toward accomplishing the goals and objectives in the CFSP. In preparing the APSR, each State must conduct an interim review of the progress made since the last APSR toward

accomplishing the goals and objectives in the CFSP based on updated information and current data. The next APSR is due June 30, 2018.

Both of these reports are available online as part of State's reporting requirements and additional information is available at:

http://www.acf.hhs.gov/sites/default/files/cb/cfsp_apsr_reporting_requirements.pdf.

Alignment of CFSP/APSRs with the Child and Family Services Reviews (CFSRs)

The 2015-2019 CFSP was used to align the work conducted under the CFSP with the CFSRs. After a CFSR is completed, States develop a Program Improvement Plan (PIP) to address areas in their child welfare services that need improvement. The Children's Bureau continues to work with States to align the CFSP/APSR, CFSR and the PIP process, and other programs and services to achieve measurable progress to improve outcomes for children and families.

A core component of the CFSP/APSR and CFSR process is the collaboration and coordination by the child welfare agency with partners, tribes, courts and other stakeholders.

As indicated in previous CJA Program Instructions, the Children's Bureau encourages CJA grantees to develop and/or maintain an awareness of the overall goals and strategies of their respective child welfare agency. In addition, the Children's Bureau continues to encourage CJA programs and/or its State Task Force members to become active and engaged participants in various stakeholder meetings and planning committees related to the CFSR and CFSP/APSR. Specifically, CJA grantees may be identified to participate in program improvement efforts when and if their respective States develop their CFSR PIPs. CJA grantees may also find it appropriate to become involved in the state's annual process of drafting their APSR. Additionally, in an effort to align CJA programs to relevant work in the States, CJA grantees are encouraged to review the goals and objectives of the CFSP/APSR and identify which of them are related to the final recommendations identified through the State's CJA Three-Year Assessment process.

The Children's Bureau Regional Office and Central Office staff can assist CJA programs in making connections to improve collaboration and coordination to improve services for children and families. CJA grantees may contact the CJA Federal Project Officer if they are unsure who to contact in their state regarding the CFSR and CFSP/APSR processes.

Linkage to Court and Legal Representation Improvement Work

The Children's Bureau's Court Improvement Program (CIP) is a mandatory formula grant authorized under the Social Security Act. All 50 States, Puerto Rico and the District of Columbia receive CIP funding. The purpose of the program is to promote the continuous quality improvement of court processes and legal representation in child welfare proceedings through ongoing assessment, data collection and analysis, and training. The CIP is also designed to enhance collaboration between the judicial branch of state government, state child welfare agencies, other executive branch agencies, and tribes. The grant requires the creation of a statewide multi-disciplinary task force, a strategic plan and an annual self-assessment of how the grantee is progressing on its identified priorities.

CJA grantees are encouraged to connect with the CIP Director in their state and become familiar with efforts planned or underway to improve the handling of child welfare proceedings under the program and explore opportunities for collaboration and joint work toward shared outcomes. A CIP Director directory is included as an attachment to this program instruction. In addition, a link to a recent Children's Bureau Information Memorandum (IM) encouraging collaboration and coordination to ensure high quality legal representation for parents, children, and youth can be found on page 22.

PART II: APPLICATION INSTRUCTIONS

A. SUBMISSION INSTRUCTIONS

Format: States are no longer required to submit a SF-424, "Application for Financial Assistance," although a State may use this form if it so chooses. States may apply in a format best suited to their needs. However, we recommend that States complete and submit the SF-424, because all of its content is required information for the applicant. In addition to the items specified in the SF-424, the application should include the Dun and Bradstreet Data Universal Numbering System (DUNS) number for the agency.

To receive a grant, States must meet the eligibility requirements identified in this PI.

Signature: The *application and report* may be signed by the Governor or an individual authorized to act on behalf of the State office, agency, or organization designated by the Governor to apply for a CJA grant, and to assume for that agency the obligations imposed by the terms and conditions of the grant award.

The Governor must sign the *Governor's letter* listing the assurances related to the CJA award. The Governor's letter requirement is detailed on pages 15-16.

Delivery: The Federal government is continually striving to promote efficiency in the management of its programs. As such, States should submit the application and subsequent annual program reports electronically. Consistent with Action Transmittal No. OGM-AT-13-01, issued September 25, 2013 by the ACF Office of Grants Management, as of October 1, 2013, all applications, plans and financial reports for mandatory grants must now be submitted electronically. States should submit their application and report, and the three-year assessment (if applicable), to the CJA Resource Inbox at: childrensjusticeact@acf.hhs.gov.

For additional questions, please contact the Federal Project Officer for CJA, Lauren Fischman at (202) 205-4539 or lauren.fischman@acf.hhs.gov.

B. ELIGIBILITY INSTRUCTIONS

1. Eligibility Requirements

Eligibility for a CJA grant is based on two sets of requirements:

- (a) States must be in compliance with the child abuse and neglect State Grant requirements set forth in Section 106(b) of CAPTA at the time of the CJA award. States not eligible for a State Grant will not be eligible for a FY 2018 CJA grant.
- (b) States must fulfill the CJA requirements specified in Section 107 of the Act. These requirements differ for: (A) States which have never established eligibility to receive CJA funding; (B) States which met the three-year assessment requirement and received CJA funding in FY 2014; and (C) all other States. These requirements are specified in the “Documentation of Eligibility” section which follows.

2. Documentation of Eligibility

N.B. All States must complete Part A below and applicable sections of Part C on pages 18-20. States which have not previously established eligibility, and States required to submit a three-year assessment with this application, must complete the additional requirements stated in Part B, Additional Requirements for States, on pages 17-18.

A. REQUIREMENTS FOR ALL STATES

All States **must provide** as part of the application information regarding:

1. **Establishment and Maintenance of a CJA State Task Force (Sections 107(b)(2) and 107(c)(1)) of the Act**

Documentation that the State has established or designated and maintained a multidisciplinary Task Force on children's justice, composed of professionals with knowledge of and experience with the criminal justice system and the system handling child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment related fatalities.

Applicants must clearly list the member for each discipline. The documentation must include the names, titles and brief descriptions of the relevant professional experience of each Task Force member, and designation of which professional category the task force member represents. States have found presenting this information in table format useful.

Documentation that the State Task Force includes members representing the following disciplines **as specified in Section 107(c)(1) of the Act:**

- Law Enforcement Community
- Criminal Court Judge(s)
- Civil Court Judge(s)
- Prosecuting Attorney(s)
- Defense Attorney(s)
- Child Advocate(s) (Attorney(s) for Children)
- Court Appointed Special Advocate Representative(s), where such programs are in operation
- Health Professional(s)
- Mental Health Professional(s)
- Child Protective Service Agencies
- Individual(s) experienced in working with children with disabilities
- Parents and Representative of Parent Groups
- Adult former victims of child abuse and or neglect; and
- Individuals experienced in working with homeless children and youths (as defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)).

2. **Governor's Letter (Signed)**

A letter addressed to Jerry Milner, Acting Commissioner, Administration on Children, Youth and Families (ACYF), **Mary E. Switzer Building, 330 C Street, SW, Washington, D.C. 20201**, signed by the Governor certifying the following assurances:

- (a) **the State received the FY 2017 child abuse and neglect Basic State Grant and continues to comply with the requirements stipulated in**

Section 106(b) of the Act; or the State has received a recently rendered Federal decision attesting to the State's current compliance with the requirements for the Basic State Grant under Section 106(b); **and**

- (b) **the State will maintain a State multidisciplinary task force on children's justice** (only for those States not currently receiving CJA funds); **or**
- (c) **the State has maintained a State multidisciplinary task force on children's justice** (only for those States currently receiving CJA funds); **and**
- (d) **the State has adopted or continues to progress in adopting recommendations of the State Task Force** or a comparable alternative to such recommendations; **and**
- (e) **the State will make such reports to the Secretary as may reasonably be required, including an annual report** on how assistance received under this program was expended throughout the State, with particular attention to the areas described in paragraphs (1) through (3) of Section 107(a); **and**
- (f) **the State will maintain and provide access to records relating to activities under CJA; and**
- (g) **the State will participate in at least one Federally initiated CJA meeting each year that the grant is in effect and are authorized to use grant funds to cover travel and per diem expenses for two CJA representatives (CJA Coordinator and Task Force Chairperson) to attend the meeting.**

Please note that a **new and updated** Governor's letter with the aforementioned assurances must be included every year as part of the CJA application.

3. **Certifications**

The following certifications are required at the time of application for Federal funds:

(a) **Certification Regarding Lobbying (See Website on Page 22)**

Pursuant to 45 CFR Part 93, the certification ***must be signed and submitted with the application.*** If applicable, a SF LLL-Disclosure of Lobbying Activities, which discloses lobbying payments, must be submitted.

A retyped certification or a State's own certification form **will not** be accepted.

(b) **Certification Regarding Drug-Free Work Place (See Website on Page 22)**

Signature on the application by an authorized individual attests to the applicant's intent to comply with Drug-Free Work Place requirements. *A signed form does not have to be returned with the application.*

(c) **Debarment Certification (See Website on Page 22)**

Signature on the application by an authorized individual attests to the applicant's compliance with the Debarment requirements. *A signed form does not have to be returned with the application.*

(d) **Certification Regarding Environmental Tobacco Smoke (See Website on Page 22)**

Signature on the application by an authorized individual attests to the applicant's compliance with the Environmental Tobacco Smoke requirements. *A signed form does not have to be returned with the application.*

B. ADDITIONAL REQUIREMENTS FOR STATES

States which are required to submit a Three-year Assessment with this application must provide:

1. a statement of the Task Force's function/purpose; and
2. the date the Task Force was established.

Note: A Commission or Task Force established after January 1, 1983 and presently maintained with substantially comparable membership and functions meets the Task Force requirements. **However, clear designation of which professional category the task force member represents must be included as part of the documentation.** (See Section 107(c)(2))

States required to submit a Three-year Assessment with this application must also provide:

1. **State Task Force Recommendations (Section 107(d))**

Documentation that the State Task Force has comprehensively:

- (a) reviewed and evaluated State investigative, administrative and both civil and criminal judicial handling of cases of child abuse and neglect, including child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as intrastate, interstate, Federal-State, and State-Tribal; and
- (b) made policy and training recommendations in each of the categories described in Section 107(e) of the Act. The task force may make such other comments and recommendations as are considered relevant and useful.

Documentation must include a report of the State Task Force study including its recommendations in all areas required in Section 107(e) of the Act.

2. **State Implementation of the State Task Force Recommendations (Section 107(e)) of the Act)**

Documentation that the State adopted the Task Force recommendations as stipulated in 1(b) above.

Note: As provided in Section 107(e)(2) of the Act, a State shall be considered to be in fulfillment of Section 107(e)(1) requirements if it:

- (a) adopts comparable alternatives to the recommendations of the Task Force in each of the categories for which the Task Force's recommendations are not adopted; or
- (b) is making substantial progress toward adopting the Task Force recommendations or comparable alternatives to such recommendations.

The documentation must identify all Task Force recommendations adopted and/or comparable alternatives designed to carry out the purposes of the Act; describe the actions yet to be taken and timetables for implementing each recommendation or comparable alternative; or be sufficient to support a showing that the State is making substantial progress in adopting Task Force recommendations or comparable alternatives.

C. **PROGRAM DESCRIPTION INSTRUCTIONS**

Program Performance Reporting Requirements and Program Content

The program performance report is required annually. The performance report is to be included as part of the application.

The reporting period for a program performance report should include activities for the 12 month period preceding the date of submission of the application (May 2017 to May 2018).

A program performance report should focus on the **programming, outputs and outcomes** of CJA activities and projects for the prior year. Reports should include:

- clear statement of the needs of the State as identified by the Task Force;
- activities, outputs and outcomes as they relate to the needs identified, including implementation of evidence based trainings and programming; and
- results of evaluation work of the CJA projects (both process and program evaluations including program efforts).

The program performance report must describe project impact and/or progress related to categories listed in the legislation:

- A. activities to improve the investigative, administrative, and judicial handling of cases of child abuse and neglect, including child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as intrastate, interstate, Federal-State, and State-Tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused;
- B. support of experimental, model, and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused; and
- C. reform of State laws, ordinances, regulations, protocols, and procedures to provide comprehensive protection for children, which may include those children involved in reports of child

abuse or neglect with a potential combination of jurisdictions, such as intrastate, interstate, Federal-State, and State-Tribal, from child abuse and neglect, including child sexual abuse and exploitation, while ensuring fairness to all affected persons.

Application for Proposed Activities

All submissions must also include an application for proposed activities. The application is to include a description of the categories/areas/activities (as described on page 8 (A), (B) and (C)) to be supported with Children's Justice Act grant funds over the 12 month period following submission of the application.

The Application should include:

1. project goals and objectives;
2. approaches to be used to achieve the goals and objectives;
3. a clear budget for each proposed project;
4. evaluation efforts related to each project, as appropriate;
5. an explanation of the extent to which the project contributes to the reform of State systems handling cases of child abuse and neglect/and furthers implementation of State Task Force recommendations; and
6. a clearly articulated demonstration of the CJA program's awareness of the CFSP and APSR strategies and goals.

PART III: ADDITIONAL INFORMATION

CLOSING DATE FOR RECEIPT OF APPLICATIONS:

The signed original, including all attachments, must be submitted to the Federal Project Officer at the Office on Child Abuse and Neglect **by May 31, 2018**.

INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS (EXECUTIVE ORDER 12372):

This program is covered under Executive Order (EO) 12372, "Intergovernmental Review of Federal Programs," for State plan consolidation and simplification only (See 45 CFR 100.12). The review and comment provisions of the EO and Part 100 do not apply.

PAPERWORK REDUCTION ACT

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) Control Number.

Public reporting burden for this collection of information is estimated to average 60 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information.

In accordance with the Paperwork Reduction Act of 1995 (P.L. 104-13), the Department is required to submit to OMB for review and approval any reporting and record-keeping requirements or program announcements. This program announcement meets all information collection requirements approved for ACF grant applications under OMB Control Number 0970-0425 which expires April 30, 2020.

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) # 93.643

INQUIRIES TO:

Lauren Fischman
Children's Bureau
Office on Child Abuse and Neglect
Telephone: (202) 205-4539
Email address: lauren.fischman@acf.hhs.gov

EFFECTIVE DATE: Upon Issuance.

/s/

Jerry Milner
Acting Commissioner
Administration on Children, Youth and Families

WEBSITES FOR CJA RESOURCE MATERIALS

Please visit the following websites listed below to download the relevant CJA resource materials for this PI:

<http://www.ecfr.gov/cgi-bin/text-idx?node=pt45.1.75>

45 CFR Part 75

http://www.ecfr.gov/cgi-bin/text-idx?SID=0ed18533eff226ffb087a726b2b54eb8&mc=true&node=se45.1.95_122&rgn=div8

45 CFR Part 95.22, revised as of October 1, 1999

http://www.acf.hhs.gov/programs/cb/laws_policies/cblaws/capta/capta2010.pdf

Child Abuse Prevention and Treatment Act as amended by P.L. 111-320, the CAPTA Reauthorization Act of 2010

<https://www.acf.hhs.gov/grants/certifications>

Certification Regarding Lobbying

Drug-Free Work Place Certification

Debarment Certification

Certification Regarding Environmental Tobacco Smoke

<https://pms.psc.gov/>

Payment Management System

<https://www.acf.hhs.gov/cb/resource/im1702>

Information Memorandum: High Quality Legal Representation for All Parties in Child Welfare Proceedings

ATTACHMENT 1

TENTATIVE FISCAL YEAR 2018 STATE ALLOCATION TABLE

| Grantee | Tentative Allocation Amount |
|----------------------|------------------------------------|
| ALABAMA | 259,177 |
| ALASKA | 85,725 |
| ARIZONA | 361,144 |
| ARKANSAS | 184,461 |
| CALIFORNIA | 1,784,110 |
| COLORADO | 290,558 |
| CONNECTICUT | 193,662 |
| DELAWARE | 88,957 |
| DISTRICT OF COLUMBIA | 73,056 |
| FLORIDA | 840,824 |
| GEORGIA | 528,980 |
| HAWAII | 108,742 |
| IDAHO | 133,374 |
| ILLINOIS | 608,042 |
| INDIANA | 350,456 |
| IOWA | 189,359 |
| KANSAS | 186,349 |
| KENTUCKY | 242,738 |
| LOUISIANA | 262,443 |
| MAINE | 98,577 |
| MARYLAND | 307,218 |
| MASSACHUSETTS | 312,820 |
| MICHIGAN | 467,859 |
| MINNESOTA | 295,700 |
| MISSISSIPPI | 187,558 |
| MISSOURI | 314,490 |
| MONTANA | 93,408 |
| NEBRASKA | 140,268 |
| NEVADA | 179,193 |
| NEW HAMPSHIRE | 99,697 |
| NEW JERSEY | 428,515 |
| NEW MEXICO | 143,575 |
| NEW YORK | 847,280 |
| NORTH CAROLINA | 488,392 |

| Grantee | Tentative Allocation Amount |
|---------------------------------|------------------------------------|
| NORTH DAKOTA | 83,624 |
| OHIO | 548,171 |
| OKLAHOMA | 233,393 |
| OREGON | 215,676 |
| PENNSYLVANIA | 560,115 |
| RHODE ISLAND | 89,741 |
| SOUTH CAROLINA | 259,329 |
| SOUTH DAKOTA | 90,676 |
| TENNESSEE | 336,409 |
| TEXAS | 1,441,160 |
| UTAH | 225,792 |
| VERMONT | 72,605 |
| VIRGINIA | 406,653 |
| WASHINGTON | 360,764 |
| WEST VIRGINIA | 121,530 |
| WISCONSIN | 295,578 |
| WYOMING | 76,490 |
| AMERICAN SAMOA | 54,475 |
| GUAM | 59,976 |
| NORTHERN MARIANA ISLANDS | 53,271 |
| PUERTO RICO | 182,711 |
| VIRGIN ISLANDS | 55,154 |
| Total | 17,000,000 |